

GEOFFREY A. HANSEN  
Acting Federal Public Defender  
ELIZABETH M. FALK  
Assistant Federal Public Defender  
19th Floor Federal Building  
450 Golden Gate Avenue  
San Francisco, CA 94102  
(415) 436-7700  
Counsel for Defendant JOHN LIN

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR 12-217 WHA
	)	
Plaintiff,	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER MODIFYING BRIEFING</b>
v.	)	<b>SCHEDULE ON DEFENDANTS'</b>
	)	<b>PRETRIAL MOTIONS</b>
ROY LIN AND JOHN LIN,	)	
	)	Date: November 6, 2012
Defendants.	)	Court: The Honorable William H.
	)	Alsup

The parties hereby stipulate and agree as follows:

1. This matter is currently set for a hearing on Defendants' Motion to Suppress, Motion to Strike, and Motion for a Bill of Particulars on November 6, 2012 at 2:00 p.m. before the Honorable William H. Alsup;
2. The parties are actively engaged in settlement discussions. To further facilitate those discussions, the parties hereby stipulate and propose a modification to the briefing and hearing schedule on defendants' Motions as follows;  
Motions Filed: September 18/19, 2012;  
Responses Due: October 24, 2012, as opposed to October 9, 2012;  
Replies Due: November 6, 2012

**HEARING DATE: November 20, 2012 at 2:00 p.m.**

The parties further stipulate that because motions are currently filed and pending before the Court, time is automatically excluded under the Speedy Trial Act.

IT IS SO STIPULATED.

Dated: October 4, 2012

/s/  
ELIZABETH M. FALK  
ASSISTANT FEDERAL PUBLIC DEFENDER  
COUNSEL FOR JOHN LIN

Dated: October 4, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
PATRICK ROBBINS  
COUNSEL FOR ROY LIN

Dated: October 4, 2012

/s/

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KYLE WALDINGER/HALLIE HOFFMAN  
Assistant United States Attorneys

~~PROPOSED~~ ORDER

For the reasons set forth above, the briefing schedule on Defendants' Motion for A Bill of Particulars, Motion to Suppress, and Motion to Strike is hereby MODIFIED as stated in this stipulation. The hearing date of November 6, 2012 shall be VACATED and a new hearing date is hereby set of **November 20, 2012 at 2:00 p.m..**

**IT IS SO ORDERED.**

DATED: October 4, 2012.

  
THE HONORABLE WILLIAM H. ALSUP  
UNITED STATES DISTRICT JUDGE